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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ADELA E. GOMEZ

Plaintiff,

vs.

NANCY A. BERRYHILL,
Acting Commissioner of
Social Security,

Defendant.

CIVIL NO. 4:17-cv-01473-KAW

**STIPULATION AND PROPOSED
ORDER TO VOLUNTARY REMAND
PURSUANT TO SENTENCE FOUR
OF 42 U.S.C. § 405(g) AND TO ENTRY
OF JUDGMENT IN PLAINTIFF'S
FAVOR**

IT IS HEREBY STIPULATED, by and between Adela Gomez, (Plaintiff), and Nancy A. Berryhill, Acting Commissioner of Social Security, (Defendant), through their respective counsel of record, that this action be remanded for further administrative action pursuant to section 205(g) of the Social Security Act, as amended, 42 U.S.C. section 405(g), sentence four.

On remand, the Appeals Council will remand the case to an administrative law judge (ALJ) for a new hearing and decision for the purpose of correcting the errors raised by Plaintiff in this action.

The Appeals Council will instruct the ALJ with the assistance of a vocational expert to re-evaluate Plaintiff's past relevant work and determine whether Plaintiff maintains the residual functional capacity to perform any of her past relevant work. If appropriate, the ALJ will continue with the

1 sequential evaluation process and with the assistance of the vocational expert determine what jobs exist,
2 if any, for Plaintiff given her age, education, vocational factors and residual functional capacity.

3 The parties further request that the Clerk of the Court be directed to enter a final judgment in
4 favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

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6 Respectfully submitted,

7 BRIAN J. STRETCH
8 United States Attorney

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10 Dated: December 20, 2017

By: /s/Richard M. Rodriguez
11 RICHARD M. RODRIGUEZ
12 Special Assistant United States Attorney
Attorney for Defendant

13 Dated: December 20, 2017

/s/Jared T. Walker
14 JARED T. WALKER, CSBN 269029
15 Attorney for Plaintiff*
16 By Richard M. Rodriguez
17 (*email authorization on December 20, 2017)

18 PURSUANT to the STIPULATION, IT IS SO ORDERED.

19 Dated: 1/4/18

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23 Kandis Westmore
24 Hon. KANDIS A. WESTMORE
25 United States Magistrate Judge
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